

Notice of Allowability

Application No.

10/789,539

Examiner

Hoon Song

Applicant(s)

DE MAN ET AL.

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response filed on 7/13/2007.
2. ☐ The allowed claim(s) is/are 1, 7-10, 13, 14, 16-19, 21, 23-26, 29-35, 38 and 39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

Claims 1, 7-10, 13-14, 16-19, 21, 23-26, 29-35 and 38-39 are allowed over prior art.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1, 7-10, 13-14, 16, 31-35 and 38-39, the prior art fails to teach a CT imaging system having an x-ray source with two or more emission points that are offset from one another such that the emission points sample substantially different portions of a field of view and a system controller configured to control the two or more emission points such that the flux of the radiation emitted by the respective emission points is determined based on at least one of the respective view relative to the field of view or a path length through a patient at the respective view as claimed in independent claim 1.

Regarding claims 17-19 and 21, the prior art fails to teach a CT imaging method by emitting respective streams of radiation from each of two or more X-ray emitters that are offset from one another such that the X-ray emitters sample substantially different portions of a field of view, wherein the flux of the radiation emitted by the respective emission points is determined based on at least one of the respective view relative to the field of view or a path length through a patient at the respective view as claimed in independent claim 17.

Regarding claims 23-26, the prior art fails to teach a computer readable medium encoded with a computer program having a routine for emitting respective streams of

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radiation from each of two or more X-ray emitters that are offset from one another such that the X-ray emitters sample substantially different portions of a field of view, wherein the flux of the radiation emitted by the respective emission points is determined based on at least one of the respective view relative to the field of view or a path length through a patient at the respective view as claimed in independent claim 23.

Regarding claim 29, the prior art fails to teach a CT imaging system having an X-ray source comprising two or more offset emission points and an X-ray controller configured to differentially activate the two or more emission points such that at least one of the number of activations, the durations of activation, or the energy or the flux of the emitted radiation differ based on the respective view or based on a path length through a patient at the respective view as claimed in independent claim 29.

Regarding claim 30, the prior art fails to teach a CT imaging system having an X-ray source comprising two or more emission points, wherein X-rays emitted by each emission point pass through substantially non-overlapping regions of a field of view and a system controller configured to differentially operate the two or more emission points to maintain a substantially uniform flux profile at the detector array as claimed in independent claim 30.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

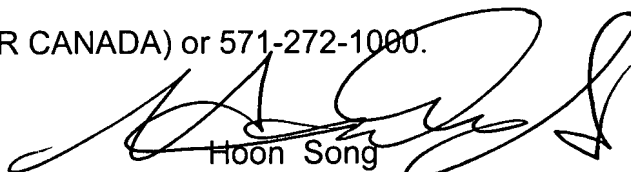
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoon Song whose telephone number is (571) 272-2494. The examiner can normally be reached on 9:30 AM - 7 PM, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on (571) 272 - 2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Hoon Song
Primary Examiner
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9/14/2007